

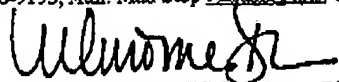
MAR. 18. 2004 4:13PM

RMS Patent Department

NO. 672 P. 1

CERTIFICATE OF TRANSMISSION (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being transmitted via facsimile no. 703-746-9195, Attn: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Winsome Dunn

3/18/04

Date

Attorney Docket No. 21480-US14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Stewart Cole et al.

)

) EXAMINER in Parent Application:

)

A. Salimi

SERIAL No.: 10/691,776

)

) ART UNIT: 1648

FILED: 10/22/2003

)

FOR:

DETERMINED DNA SEQUENCES DERIVED
FROM A PAPILLOMAVIRUS GENOME,
THEIR USES FOR IN VITRO DIAGNOSTIC
PURPOSES AND THE PRODUCTION OF
ANTIGENIC COMPOSITIONS

)

)

)

)

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Mail Stop - Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

Sir:

This paper is in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed January 28, 2004 (copy attached) which set an initial due date of March 28, 2004.

Sequence Disclosure Requirements

The Notice indicated that the Sequence Disclosure Requirements of 37 C.F.R. §§ 1.821-1.825 were not satisfied.

Applicants respectfully submit that the Sequence Disclosure Requirements of 37 C.F.R. §§ 1.821-1.825 should not apply to the present application. These Requirements went into

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Filed: 10/22/2003

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effect on October 1, 1990. New applications filed on or after the effective date should be subject to the Requirements, unless the new application is a continuation or a divisional application of a parent application, which was not subject to the Requirements. (See M.P.E.P. paragraph 2421.01 for an explanation of Applications Affected.)

The present application is, through its family members, a continuation application of U.S. Application Serial No. 07/128,341, filed November 20, 1987, and entitled to that filing date. Because the parent application was filed before the effective date (October 1, 1990), it was not within the scope of the Requirements. Because the present application is a continuation of the parent application, and entitled to its filing date, it should also not be within the scope of the Requirements.

Thus, Applicants respectfully submit that this application does not fail to comply with the Requirements for Sequence Disclosure.

If there is any fee due in connection with the filing of this Response, The Commissioner is hereby authorized to debit Deposit Account No. 50-0812.

Respectfully submitted,



Rhea C. Nersesian, Reg No. 55, 488

Date: March 18, 2004

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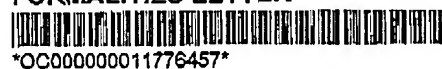
APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/691,776	10/22/2003	Stewart Cole	21480-US14

22829
ROCHE MOLECULAR SYSTEMS INC
PATENT LAW DEPARTMENT
1145 ATLANTIC AVENUE
ALAMEDA, CA 94501



CONFIRMATION NO. 8367

FORMALITIES LETTER



OC000000011776457

Date Mailed: 01/28/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES***Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice **MUST** be returned with the reply.*



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